

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 6/3/08

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CYNTHIA UNDERDUE,

Plaintiff(s), 08 Civ. 2786 (LTS) (DFE)

- against -

SCHEDULING ORDER

TROUTMAN SANDERS, LLP,

Defendant(s).

-----x  
DOUGLAS F. EATON, United States Magistrate Judge.

The "Start Date" will be the completion of the mediation (if unsuccessful).

1. Any motion for leave to amend the pleadings or to add parties must be served and filed ~~by~~ within one month from the Start Date.

2. All fact discovery must be commenced in time to be completed by four months after the Start Date.

3. Any proposed expert witness who falls within the words of Rule 26(a)(2)(B) must serve a report in strict compliance with that Rule -- plaintiff's experts by five months after the Start Date, defendant's experts by six months after the Start Date. These are also the deadlines for identifying any person who may be used at trial to present evidence under Rules 702, 703, or 705 of the Federal Rules of Evidence. All expert discovery must be commenced in time to be completed by seven months after the Start Date.

4. Any dispositive motion will be governed by a second Scheduling Order, which I will issue soon after the cut-off date for discovery. ~~at the District Judge requires a pre-motion conference, then this is the deadline to request such a conference.~~


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5. ~~If (and only if) a dispositive motion has been made, The~~  
joint pre-trial order <sup>will also be governed by the second</sup> ~~in a format that complies with the trial~~  
Scheduling Order.  
~~Judge's individual rules, must be filed by~~  
~~Plaintiffs must serve~~ sections of the pre-trial order by

6. None of these deadlines will be extended except upon a showing of good cause. Any request for an extension must be made, by fax and by mail, at least one week before the deadline in question, and must state the other parties' positions concerning the proposed alternative date.

7. I will not "so order" any consent adjournment unless it complies with Paragraph 6 and tells me in writing the factual basis for the "good cause."

8. Pursuant to Rule 16(f), I may impose sanctions, including attorney's fees, if a party or a party's attorney fails to obey this scheduling order.

  
\_\_\_\_\_  
DOUGLAS F. EATON  
United States Magistrate Judge

Dated: New York, New York  
June 2, 2008



**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF NEW YORK**

**REFERRAL FORM FOR PRO SE EMPLOYMENT DISCRIMINATION MEDIATION**

Case name: CYNTHIA UNDERDUE V. TROUTMAN SANDERS, LLP

Docket number: 08 CIV. 2786 (LTS)(DFE)

Date this case was filed: 3/17/08

Date this case was assessed for eligibility for the mediation program: 6/2/08

This case was referred by Judge DOUGLAS F. EATON, who will (will not) (circle one) conduct the mediation.

Pro Se Plaintiff's name:

CYNTHIA UNDERDUE

Address:

109-24 216<sup>th</sup> Street  
Q Village, NY 11421

Telephone number:

718-464-0391

Defendant's name:

TROUTMAN SANDERS, LLP

Represented by:

LAURIE BERKE-WEISS

Address:

BERKE-WEISS + Pechman LLP  
488 MADISON AVE  
NY NY 10022

Telephone number:

212-583-9500  
FAX-212-308-8582

\*\*\* FOR THE PARTIES TO COMPLETE \*\*\*

The purpose of the mediation is to attempt to arrive at a mutually acceptable resolution of the dispute in a cooperative and informal manner.

The undersigned agree to participate in mediation.

Cynthia Underdue  
 Signature of plaintiff

Date: June 2, 2008

Laurie Berke-Weiss  
 Signature of defendant's attorney

Date: June 2, 2008